

REMARKS

The Office Action mailed June 29, 2004 has been carefully reviewed and the following amendment has been made in consequence thereof.

Claims 1-4, 6-9, and 11-24 are now pending in this application. Claims 1-4, 8, 9, and 13-19 are rejected. Claims 5-7 and 10-12 are objected to. Claims 5 and 10 have been canceled. Claims 7 and 12 are newly independent. An additional fee is due for newly independent Claims 7 and 12. Claims 20-24 are newly added.

A fee calculation sheet for the newly independent claims and added claims along with authorization to charge a deposit account in the amount of the calculated fee are submitted herewith.

The objection to the drawings is respectfully traversed. Specifically, Figure 6 has been amended to include a reference line indicator for element "66". No new matter has been added. For the reasons set forth above, Applicant respectfully request the objection to the drawings be withdrawn.

The rejection of Claims 1, 2, 4, 8, 9, 14-17, and 19 under 35 U.S.C. § 102(b) as being anticipated by Ritter (U.S. Pat. No. 2,363,472) is respectfully traversed.

Ritter describes a mailing card 10 including an emblem side 12 having a transfer emblem 11. The emblem includes upper and lower marginal edges 14 and a body extending therebetween. The upper and lower marginal edges are coupled to the card at a location 15 by an adhesive. Specifically, only the upper and lower edges include the adhesive, and as such, the emblem may be detached from the adhered marginal edges using a line of perforations that extends across the emblem. The emblem side includes printed matter 17 positioned beneath the emblem. A protective flap 18 may be releasably coupled to the card such the emblem is covered.

Claim 5 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim. Claim 5 has been canceled and independent Claim 1 has been amended to include the recitations of Claim 1. Accordingly, Claim 1 is submitted to be patentable over Ritter.

Claims 2 and 4 depend from independent Claim 1. When the recitations of Claims 2 and 4 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 2 and 4 are likewise patentable over Ritter.

Claim 10 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim. Claim 10 has been canceled and independent Claim 8 has been amended to include the recitations of Claim 8. Accordingly, Claim 1 is submitted to be patentable over Ritter.

Claims 9 and 14 depend from independent Claim 8. When the recitations of Claims 9 and 14 are considered in combination with the recitations of Claim 8, Applicant submits that dependent Claims 9 and 14 are likewise patentable over Ritter.

Claim 15 recites “a method for notifying an individual of an appointment, said method comprising providing a security tag including at least a first portion and a second portion that is coupled to the first portion, wherein the first portion comprises a first side and an opposite second side, and wherein the second portion comprises a first side and an opposite second side, the second portion first side coupled against the first portion second side....”

Ritter does not describe nor suggest a method for notifying an individual of an appointment, wherein the method includes providing a security tag coupled to a postcard for selectively concealing at least a portion of the information displayed on the postcard, wherein the tag includes at least a first portion and a second portion coupled to the first portion, and wherein a second portion first side is coupled against a first portion second side. Rather in contrast to the present invention, Ritter describes a transfer emblem including lower and upper marginal edges and a body extending therebetween, wherein only the marginal edges are coupled against the mailing card. Moreover, Ritter does not describe nor suggest that the lower and upper marginal edges are coupled against the emblem body, rather Ritter describes a unitary emblem wherein the lower and upper marginal edges are each coupled adjacent the emblem body at a lower and an upper line of perforation. Accordingly, for at least the reasons set forth above, Claim 15 is submitted to be patentable over Ritter.

Claims 16, 17, and 19 depend from independent Claim 15. When the recitations of Claims 16, 17, and 19 are considered in combination with the recitations of Claim 15, Applicant submits that dependent Claims 16, 17, and 19 are likewise patentable over Ritter.

For at least the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claims 1, 2, 4, 8, 9, 14-17, and 19 be withdrawn.

The rejection of Claims 3, 13, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Ritter is respectfully traversed.

Ritter is described above.

Applicant respectfully submits that the Section 103 rejection of the presently pending claims is not a proper rejection. The mere assertion that “[i]t would have been obvious...to provide the sections of the security tag of any required material depending on the result desired by the end user, since it has been held to be within the general skill of a worker in the art...” does not support a *prima facie* obvious rejection. Rather, each allegation of what would have been an obvious matter of design choice must always be supported by citation to some reference work recognized as standard in the pertinent art, and the Applicant given an opportunity to challenge the correctness of the assertion or the repute of the cited reference. Applicant has not been provided with the citation to any reference supporting the combination made in the rejection. The rejection, therefore, fails to provide the Applicant with a fair opportunity to respond to the rejection, and fails to provide the Applicant with the opportunity to challenge the correctness of the rejection. Therefore, Applicant respectfully requests that the Section 103 rejection be withdrawn.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or “template” to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on modifying the teachings of a single patent in an attempt to arrive at the claimed invention. However, there is no teaching nor suggestion in the cited art for the modifications deemed obvious by the Examiner, and as such, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated elements of a single disclosure have been picked and chosen in an attempt to deprecate the present invention. Of course, such a

hindsight reconstruction is impermissible, and for this reason alone, Applicant requests that the Section 103 rejection of Claims 3, 13, and 18 be withdrawn.

Further, and to the extent understood, Ritter does not describe nor suggest the claimed combination, and as such, the presently pending claims are patentably distinguishable from the cited combination. Specifically, Claim 3 depends from Claim 1 which is submitted to be in condition for allowance. More specifically, Claim 5 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim. Claim 5 has been canceled and independent Claim 1 has been amended to include the recitations of Claim 1. Accordingly, Claim 1 is submitted to be patentable over Ritter.

Claim 3 depends from independent Claim 1. When the recitations of Claim 3 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claim 3 likewise is patentable over Ritter.

With respect to Claim 13, Claim 13 depends from Claim 8 which is submitted to be in condition for allowance. Specifically, Claim 10 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim. Claim 10 has been canceled and independent Claim 8 has been amended to include the recitations of Claim 8. Accordingly, Claim 8 is submitted to be patentable over Ritter.

Claim 13 depends from independent Claim 8. When the recitations of Claim 13 are considered in combination with the recitations of Claim 8, Applicant submits that dependent Claim 13 likewise is patentable over Ritter.

Claim 15 recites “a method for notifying an individual of an appointment, said method comprising providing a security tag including at least a first portion and a second portion that is coupled to the first portion, wherein the first portion comprises a first side and an opposite second side, and wherein the second portion comprises a first side and an opposite second side, the second portion first side coupled against the first portion second side....”

Ritter does not describe nor suggest a method for notifying an individual of an appointment, wherein the method includes providing a security tag coupled to a postcard for selectively concealing at least a portion of the information displayed on the postcard, wherein the tag includes at least a first portion and a second portion coupled to the first portion, and

wherein a second portion first side is coupled against a first portion second side. Rather in contrast to the present invention, Ritter describes a transfer emblem including lower and upper marginal edges and a body extending therebetween, wherein only the lower and upper marginal edges are coupled against the mailing card. Moreover, Ritter does not describe nor suggest that the lower and upper marginal edges are coupled against the emblem body, rather Ritter describes a unitary emblem wherein the lower and upper marginal edges are each coupled adjacent the emblem body at a lower and an upper line of perforation. Accordingly, for at least the reasons set forth above, Claim 15 is submitted to be patentable over Ritter.

Claim 18 depends from independent Claim 15. When the recitations of Claim 18 are considered in combination with the recitations of Claim 15 Applicant submits that dependent Claim 18 likewise is patentable over Ritter.

For the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 3, 13, and 18 be withdrawn.

The objection to Claims 5-7 and 10-12 is respectfully traversed.

Claims 5-7 were objected to as being dependent upon a rejected base claim, and were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 5 has been canceled and Claim 1 has been amended to include the recitations from Claim 5, and as such, Claim 1 is submitted to be in condition for allowance. Claim 6 depends from Claim 1, and as such is likewise submitted to be in condition for allowance.

Claim 7 has been rewritten in independent form and is submitted to be in condition for allowance. Accordingly, Claims 1 and 7 are submitted to be in condition for allowance.

Claims 10-12 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 10 has been canceled and Claim 8 has been amended to include the recitations from Claim 10, and as such, Claim 8 is submitted to be in condition for allowance. Claim 11 depends from Claim 8, and as such is likewise submitted to be in condition for allowance.

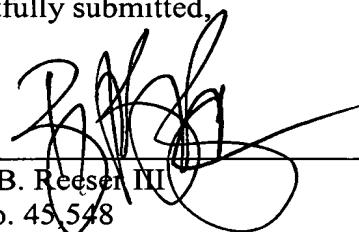
Claim 12 has been rewritten in independent form and is submitted to be in condition for allowance. Accordingly, Claims 5-7 and 10-12 are submitted to be in condition for allowance.

With respect to newly added Claims 20-24, independent Claim 20 recites "a postcard comprising a security tag coupled to said postcard for selectively concealing at least a portion of information displayed on said postcard, said postcard comprising a pair of oppositely-disposed ends and a body extending therebetween, said tag comprising at least a first portion and a second portion separated by a fold line, said first portion comprises a first side and an opposite second side, said second portion comprises a first side and an opposite second side, said tag coupled to said postcard such that tag first portion second side is coupled between tag second portion second side and said tag first portion first side, said tag configured to remain folded until the information is revealed, at least one of said tag first portion and said tag second portion comprises a substantially transparent material."

None of the cited art describe nor suggest such a postcard, and therefore, Applicant submits that independent Claim 20 is patentable over the cited art. Claims 21-24 depend from independent Claim 20.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,



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IN THE DRAWINGS

Applicant respectfully requests approval of the following drawing change.

Figure 6 has been amended to include a reference lead line indicator for element “66”.
No new matter has been added by the proposed drawing change. Submitted herewith is a
Replacement Sheet including the above-referenced change to Figure 6.